

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: St. Paul

FILE NUMBER: 05-1396-TJF

REGULATORY PROJECT MANAGER: Tim Fell

Date:

PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) 17 March 2005

Date:

At the project site (Y/N)

Date:

PROJECT LOCATION INFORMATION:

State: Minnesota

County: Wright

Center coordinates of site by latitude & longitude coordinates: Lat/Long SEC 13, T121N, R25W

Approximate size of site/property (including uplands) in acres ? acre

Name or waterway of watershed: three unnamed depressional basins

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary X Or Approved

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): The project involves modifying the existing intersection configuration at I-94 and CSAH 18 in Monticello. A delineation report indicated the presence of three waterbodies in the project area. Their total size is about 0.6 acre.

Based on the report, which included topographic maps and aerial photographs, it appears that none of the 3 basins have an existing surface water outlet connection to any other waters of the United States. They receive runoff from the existing road system and ramps. Dominant vegetation includes reed canary grass, cattails and willows. It is unlikely that any of these basins would have use in an interstate commercial operation.